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February 21, 2014

Stephen Bergstein

*Of Counsel*  
Helen G. Ullrich

Hon. Cathy Seibel  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: *Barboza v. D'Agata, et al*  
13 Civ. 4067 (CS)

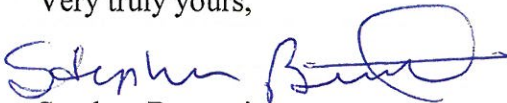
Dear Judge Seibel:

Along with the New York Civil Liberties Union, this office represents plaintiff in this action brought under the First and Fourteenth Amendments. A pre-trial conference is scheduled for March 7, 2014, at 10:30 a.m. We anticipate that the Court will address the recently-filed Amended Complaint at that time. Through this letter, the parties are jointly requesting that the conference be held on that date at 9:00 or 9:30 a.m. and that one of the attorneys be permitted to participate by telephone.

The Amended Complaint names new parties, including Robert Zangla, an Assistant Sullivan County District Attorney. Zangla's counsel, County Attorney Samuel Yasgur, Esq., has depositions scheduled all day on March 7, 2014. Mr. Yasgur advises that the depositions are scheduled for March 3-7, 2014 in a case involving the suicide of a jail inmate that is before Judge Briccetti. Discovery in that case must be concluded by the end of March. He also advises that attorneys from Long Island and from mid-Pennsylvania will be coming to Monticello for the depositions and that he does not think he can adjourn the depositions at this point. He said the depositions will commence at 10:00 and that, if acceptable to You Honor, he would be available to participate by phone if the conference can be moved up to 9:00 or 9:30 a.m.

The other attorneys in this case are available for the conference in-person.

Very truly yours,

  
Stephen Bergstein

cc: Mariko Hirose, Esq.  
Adam Rodd, Esq.  
Samuel Yasgur, Esq.